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**Miller Sues Des Moines Convenience
Store Owners over Synthetic Drug Sales**

First of its kind synthetic drug civil lawsuit in Iowa follows Des Moines police undercover buy; alleges violations of Iowa Drug, Device and Cosmetic Act & Iowa Consumer Fraud Act

(DES MOINES, Iowa) In a first of its kind consumer fraud lawsuit in Iowa, Attorney General Tom Miller filed suit against two Des Moines convenience store owners over the sales of synthetic drugs.

The [lawsuit, filed Wednesday in Polk County District Court](#), alleges that Sarbpreet Singh and Sandeep Kaur, owners of the Shop N Save convenience store at 4685 NW 2nd St., violated the Iowa Drug, Device, and Cosmetic Act, and the Iowa Consumer Fraud Act. Singh and Kaur jointly own Shop N Save's parent company, called 3S Venture LLC.

On March 4, the Des Moines Police Department executed a search warrant at the Shop N Save as part of a separate criminal investigation into alleged synthetic drug sales.

"We hope this civil case will send a clear message to Iowa retailers that we're ready to do battle, and that selling synthetic drugs isn't worth the safety risk to your customers or the legal risk to you," Miller said. "We owe it to parents of teenagers who tend to buy synthetic drugs to do what we can to fight the problem, and that's what we're doing through a new civil law enforcement route."

The lawsuit alleges that the synthetic drug sales attempt to evade laws that ban the substances. Miller seeks an injunction prohibiting the defendants from advertising or selling synthetic drugs, and seeks unspecified civil penalties, which state law sets at up to \$40,000 per violation.

Lawsuit: “aromatic potpourri” sold to undercover officer with glass pipe

On November 28, 2012, according to the lawsuit, an undercover Des Moines police officer purchased a package of a synthetic substance labeled as “7H,” which was labeled as an “aromatic potpourri,” from the Shop N Save. At the time of the purchase, the store clerk provided the officer with a glass smoking pipe for purposes of inhaling the package’s contents.

Test results from the Iowa Division of Criminal Investigation Criminalistics Laboratory showed the package contained plant material coated with synthetic cannabinoids, which are structurally related to tetrahydrocannabinol, or THC, the main psychoactive chemical in marijuana.

Through a consent search of the business, police obtained approximately 960 packages of synthetic substances labeled with such names as “Caution,” “Kush,” “OMG,” “7H,” “Scooby Snax,” and “Stardust.”

Products labeled “not fit for human consumption,” marketed as drugs, lawsuit says

The products, which are marketed as potpourri or incense, “bath salts,” “plant food,” and even “metal polish,” bear statements such as “natural,” “not FDA approved,” and “not fit for human consumption.” Despite the labels, the substances are marketed and sold to consumers for the specific purpose of being used as a drug, according to Miller’s lawsuit.

“Make no mistake—synthetic drugs, no matter what anyone may claim on the package or from behind the counter, are very dangerous and even deadly,” Steve Lukan, Director of the Governor’s Office of Drug Control Policy, said. “Let’s call these drugs what they are—they’re street drug knock-offs.”

Stopping synthetic drug sales has been a formidable challenge for local law enforcement and the communities they serve, according to Des Moines Police Chief Judy Bradshaw. “The sale and distribution of synthetic drugs has taken narcotics control and enforcement to a new level,” Bradshaw said. “It is disturbing, to say the least, that the target market is teenagers and young adults, who presumably are largely unaware of the associated risks and dangers due to the various chemical compositions and unpredictable reactions.”

“The hazards have been well documented, with each story equally tragic in its own right,” Bradshaw added. “Aside from the obvious hazards, those who manufacture and distribute these substances have done so under the guise of bath salts, potpourri or other legal products. Their cavalier attitude and stance that what they are selling is legal, despite knowing full well how these items are being consumed, is an outward display of disrespect to our communities and the families who have been impacted by these substances.”

Products cause severe adverse effects, even death

The synthetic versions of the drugs, which also include names such as “K2,” “Spice,” and “Herbal Incense,” often cause severe adverse side effects beyond those found in the organic

drugs, such as extreme anxiety, delusions, prolonged psychotic episodes, violence, suicidal thoughts, vomiting, dangerous increased heart rate, seizures and even death.

Lawsuit: consumer fraud through misbranded drugs

The lawsuit, which is the first civil case the state has filed to attempt to stop future synthetic drug sales, alleges the products were misbranded drugs, and that the defendants engaged in consumer fraud in selling them.

“Our sincere hope is that this type of civil case will help make retailers think twice about selling awful drugs like these, which harm and kill people—especially teenagers,” Miller said. “We think this approach may give us another option in holding retailers accountable for selling synthetic drugs. Our goal is to complement—not replace—the excellent work that law enforcement is doing on the criminal front to combat synthetic drug sales. It’s a very challenging legal environment.”

Iowa laws ban specific formulas of synthetic drugs, and all chemicals that are structural derivatives or synthetic equivalents of the banned chemicals. Manufacturers have attempted to skirt the laws by slightly altering the formulations of synthetic substances every time federal or state laws are amended to designate a new formulation as an illegal controlled substance, according to Miller’s lawsuit.

“We are pleased to partner with and support Attorney General Miller in his efforts to fight the scourge of synthetic drugs through a civil lawsuit,” Polk County Sheriff Bill McCarthy said. “Up to this point, those poisoning our children have pretty much escaped criminal charges by constantly amending the molecular makeup of these drugs,” he added. “We also salute the Des Moines Police Department for its groundbreaking efforts in the Shop N Save case, which preceded the Attorney General’s novel approach.”

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